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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/750,601	DHARANIKOTA, SUDHEER	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert C. Scheibel	2666	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 9/15/2004.
2. ☒ The allowed claim(s) is/are 22-25, renumbered 1-4.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 20050210.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20050210</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                                    |
|   | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for the changes to the claims in this examiner's amendment was given in a telephone interview with Bobby Slaton (registration number 43,130) on February 10, 2005.

The application has been amended as follows:

Claim 2 has been cancelled.

Claim 3 has been cancelled.

Claim 4 has been cancelled.

Claim 5 has been cancelled.

Claim 6 has been cancelled.

Claim 7 has been cancelled.

Claim 8 has been cancelled.

Claim 9 has been cancelled.

Claim 10 has been cancelled.

Claim 11 has been cancelled.

Claim 12 has been cancelled.

Claim 13 has been cancelled.

Claim 14 has been cancelled.

Claim 15 has been cancelled.

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Claim 16 has been cancelled.

Claim 17 has been cancelled.

Claim 18 has been cancelled.

Claim 19 has been cancelled.

Claim 20 has been cancelled.

Claim 21 has been cancelled.

Claim 27 has been cancelled.

Claim 28 has been cancelled.

Claim 29 has been cancelled.

Claim 30 has been cancelled.

In line 2 on page 26 of the specification, "506" has been corrected to --507--.

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

In Figure 2, the top half of the NP block on the left side of the page has been corrected to add the reference numeral 215A. See attached drawing sheet.

In Figure 6, the reference number of the block labeled BUFF. ACCEP. FLOW CONTROL has been changed from "506" to --507--. See attached drawing sheet.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

### ***Conclusion***

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3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 6,381,214 to Prasad discloses a switch with a policer and scheduler similar to the present application. U.S. Patent 6,741,597 to Jeong discloses a leaky bucket implementation that is applicable to some of the claimed subject matter contained in the cancelled claims. U.S. Patent 6,574,195 to Roberts discloses an IP QOS mechanism.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Scheibel whose telephone number is 571-272-3169. The examiner can normally be reached on Monday and Thursday from 6:30-5:00 Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*RCS 2-18-05*  
Robert C. Scheibel  
Examiner  
Art Unit 2666

*Seema S. Rao*  
SEEMA S. RAO 2/14/05  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800